United Nations A/INF/57/6

General Assembly

Distr.: General
12 September 2003

Original: English

Fifty-seventh session

Letter dated 9 September 2003 from the Secretary-General to the President of the General Assembly

I have the honour to refer to your letter of 4 September 2003 concurring with my proposal to appoint Jean-Claude Antonetti as a permanent judge of the International Criminal Tribunal for the Former Yugoslavia (see annex). I have received a corresponding letter from the President of the Security Council. Accordingly, I have appointed Mr. Antonetti as a permanent judge of the International Criminal Tribunal for the Former Yugoslavia, effective 1 October 2003, for the remainder of the term of office of Judge Claude Jorda, which term will expire on 16 November 2005.

(*Signed*) Kofi A. **Annan**

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Annex

Letter dated 4 September 2003 from the President of the General Assembly to the Secretary-General

I have the honour to refer to your letter of 26 August 2003 concerning the candidature of Jean-Claude Antonetti to replace Judge Claude Jorda, who resigned as a judge of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, effective 1 October 2003 (see appendix).

In accordance with article 13, paragraph 3, of the statute of the International Criminal Tribunal, I have reviewed the qualifications of Mr. Antonetti and am pleased to inform you that I concur with the proposed appointment.

(*Signed*) Jan **Kavan**

Appendix

Letter dated 26 August 2003 from the Secretary-General to the President of the General Assembly

I have the honour to refer to article 13 bis, paragraph 2, of the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, which reads as follows:

> "In the event of a vacancy in the Chambers amongst the permanent judges elected or appointed in accordance with this article, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 13 of the statute for the remainder of the term of office concerned."

In this connection, I should like to inform you that Judge Claude Jorda, a national of France, has resigned as a judge of the International Criminal Tribunal, effective 1 October 2003, as he has been appointed a judge of the International Criminal Court.

The Government of France has presented the candidacy of Jean-Claude Antonetti to replace Judge Jorda. Please find attached his curriculum vitae.*

It is my view that Mr. Antonetti meets the qualifications which are prescribed in article 13, paragraph 1, of the International Criminal Tribunal's statute. I also consider that Mr. Antonetti's appointment would be well calculated to ensure adequate representation on the Tribunal of the principal legal systems of the world, as contemplated in article 13 bis, paragraph 1 (c), of the Tribunal's statute.

I should therefore like to proceed to consultation with you on the appointment of Mr. Antonetti, in accordance with article 13 bis, paragraph 2, of the International Criminal Tribunal's statute. I look forward to receiving your views on the matter.

(*Signed*) Kofi A. **Annan**

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* See S/2003/882.